

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
JOHN P. HEHMAN
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UNITED STATES OF AMERICA

v.

Case No: _____

JUDGE JUDGE GRAHAM

ANDREW S. BOGUSLAWSKI

GOVERNMENT'S PLEA AGREEMENT SUBMISSION
OF ELEMENTS AND PENALTIES FOR
26 U.S.C. § 5861(d)

POSSESSION OF AN UNREGISTERED DESTRUCTIVE DEVICE

1. ELEMENTS: 26 U.S.C. § 5861(d)

- First: That the defendant knew he had at least one "firearm" as defined under Title 26, Section 5845, of the United States Code, in his possession;
- Second: That the particular Title 26, Section 5845 firearm in this case was at least one destructive device, here, defined as either an explosive bomb as defined by 26 U.S.C. § 5845(f) (1) (A); or, a combination of parts designed or intended for use in conversion into at least one bomb and from which at least one destructive device could be readily assembled as defined by 26 U.S.C. § 5845(f) (3);
- Third: That the defendant knew of the characteristics of the destructive device, that is, that the explosive bomb or the component parts were capable of conversion to and could be readily assembled into a bomb, which was a destructive device,

51

capable of causing death or serious bodily injury;

Fourth:

That the destructive device was not registered to the defendant in the National Firearms Registration and Transfer Record;

Fifth

That these acts occurred within the Eastern Division of the Southern District of Ohio on or about the time set forth in Count One of the Information.

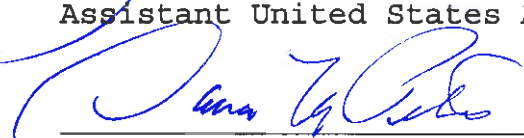
2. PENALTIES

- A. Mandatory Minimum: None.
- B. Possible Maximum: 10 years in prison, a fine of up to \$250,000.00, 3 years supervised release, and a \$ 100 special assessment.

Respectfully submitted,

CARTER M. STEWART
UNITED STATES ATTORNEY



SALVADOR A. DOMINGUEZ (0056232)
Assistant United States Attorney

DANA M. PETERS (0034226)
Assistant United States Attorney